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SENATE BILL 5927

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State of Washington

59th Legislature

2005 Regular Session

By Senators Kastama, Schmidt, Benson and Rockefeller; by request of Secretary of State

Read first time 02/15/2005. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to the date of the primary election; amending RCW  
2 29A.04.311, 29A.04.321, 29A.04.330, 29A.24.040, 29A.24.050, 29A.24.171,  
3 29A.24.181, 29A.24.191, 29A.24.211, 29A.40.070, 29A.52.011, 29A.56.030,  
4 29A.60.190, 29A.64.070, 27.12.355, 27.12.370, 35.06.070, 35.13.1821,  
5 35.61.360, 35A.14.299, 36.93.030, 42.12.040, 42.17.080, 42.17.710,  
6 52.02.080, 52.04.056, 52.04.071, 53.04.110, 54.08.010, 54.08.070,  
7 57.04.050, and 70.44.235; repealing RCW 29A.04.158; and providing an  
8 effective date.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

10 **Sec. 1.** RCW 29A.04.311 and 2004 c 271 s 105 are each amended to  
11 read as follows:

12 Nominating primaries for general elections to be held in November,  
13 and the election of precinct committee officers, must be held on the  
14 third Tuesday of the preceding (~~September or on the seventh Tuesday~~  
15 ~~immediately preceding such general election, whichever occurs first~~)  
16 August.

17 **Sec. 2.** RCW 29A.04.321 and 2004 c 271 s 106 are each amended to  
18 read as follows:

1 (1) All state, county, city, town, and district general elections  
2 for the election of federal, state, legislative, judicial, county,  
3 city, town, and district officers, and for the submission to the voters  
4 of the state, county, city, town, or district of any measure for their  
5 adoption and approval or rejection, shall be held on the first Tuesday  
6 after the first Monday of November, in the year in which they may be  
7 called. A statewide general election shall be held on the first  
8 Tuesday after the first Monday of November of each year. However, the  
9 statewide general election held in odd-numbered years shall be limited  
10 to (a) city, town, and district general elections as provided for in  
11 RCW 29A.04.330, or as otherwise provided by law; (b) the election of  
12 federal officers for the remainder of any unexpired terms in the  
13 membership of either branch of the Congress of the United States; (c)  
14 the election of state and county officers for the remainder of any  
15 unexpired terms of offices created by or whose duties are described in  
16 Article II, section 15, Article III, sections 16, 17, 19, 20, 21, 22,  
17 and 23, and Article IV, sections 3 and 5 of the state Constitution and  
18 RCW 2.06.080; (d) the election of county officers in any county  
19 governed by a charter containing provisions calling for general county  
20 elections at this time; and (e) the approval or rejection of state  
21 measures, including proposed constitutional amendments, matters  
22 pertaining to any proposed constitutional convention, initiative  
23 measures and referendum measures proposed by the electorate, referendum  
24 bills, and any other matter provided by the legislature for submission  
25 to the electorate.

26 (2) A county legislative authority may, if it deems an emergency to  
27 exist, call a special county election by presenting a resolution to the  
28 county auditor at least (~~forty-five~~) fifty-two days prior to the  
29 proposed election date. Except as provided in subsection (4) of this  
30 section, a special election called by the county legislative authority  
31 shall be held on one of the following dates as decided by such  
32 governing body:

- 33 (a) The first Tuesday after the first Monday in February;  
34 (b) The second Tuesday in March;  
35 (c) The fourth Tuesday in April;  
36 (d) (~~The third Tuesday in May;~~  
37 ~~e~~)) The day of the primary as specified by RCW 29A.04.311; or  
38 (~~f~~)) e) The first Tuesday after the first Monday in November.

1 (3) In addition to the dates set forth in subsection (2)(a) through  
2 (~~(f)~~) (e) of this section, a special election to validate an excess  
3 levy or bond issue may be called at any time to meet the needs  
4 resulting from fire, flood, earthquake, or other act of God. Such  
5 county special election shall be noticed and conducted in the manner  
6 provided by law.

7 (4) In a presidential election year, if a presidential preference  
8 primary is conducted in February, March, or April(~~(, or May)~~) under  
9 chapter 29A.56 RCW, the date on which a special election may be called  
10 by the county legislative authority under subsection (2) of this  
11 section during the month of that primary is the date of the  
12 presidential primary.

13 (5) This section shall supersede the provisions of any and all  
14 other statutes, whether general or special in nature, having different  
15 dates for such city, town, and district elections, the purpose of this  
16 section being to establish mandatory dates for holding elections except  
17 for those elections held pursuant to a home-rule charter adopted under  
18 Article XI, section 4 of the state Constitution. This section shall  
19 not be construed as fixing the time for holding primary elections, or  
20 elections for the recall of any elective public officer.

21 **Sec. 3.** RCW 29A.04.330 and 2004 c 266 s 6 are each amended to read  
22 as follows:

23 (1) All city, town, and district general elections shall be held  
24 throughout the state of Washington on the first Tuesday following the  
25 first Monday in November in the odd-numbered years.

26 This section shall not apply to:

27 (a) Elections for the recall of any elective public officer;

28 (b) Public utility districts, conservation districts, or district  
29 elections at which the ownership of property within those districts is  
30 a prerequisite to voting, all of which elections shall be held at the  
31 times prescribed in the laws specifically applicable thereto;

32 (c) Consolidation proposals as provided for in RCW 28A.315.235 and  
33 nonhigh capital fund aid proposals as provided for in chapter 28A.540  
34 RCW.

35 (2) The county auditor, as ex officio supervisor of elections, upon  
36 request in the form of a resolution of the governing body of a city,  
37 town, or district, presented to the auditor at least (~~forty-five~~)

1 fifty-two days prior to the proposed election date, may, if the county  
2 auditor deems an emergency to exist, call a special election in such  
3 city, town, or district, and for the purpose of such special election  
4 he or she may combine, unite, or divide precincts. Except as provided  
5 in subsection (3) of this section, such a special election shall be  
6 held on one of the following dates as decided by the governing body:

7 (a) The first Tuesday after the first Monday in February;

8 (b) The second Tuesday in March;

9 (c) The fourth Tuesday in April;

10 (d) ~~((The third Tuesday in May;~~

11 ~~(+))~~) The day of the primary election as specified by RCW  
12 ~~((29A.04.310))~~ 29A.04.311; or

13 ~~((+))~~) (e) The first Tuesday after the first Monday in November.

14 (3) In a presidential election year, if a presidential preference  
15 primary is conducted in February, March, or April~~((, or May))~~ under  
16 chapter 29A.56 RCW, the date on which a special election may be called  
17 under subsection (2) of this section during the month of that primary  
18 is the date of the presidential primary.

19 (4) In addition to subsection (2)(a) through ~~((+))~~) (e) of this  
20 section, a special election to validate an excess levy or bond issue  
21 may be called at any time to meet the needs resulting from fire, flood,  
22 earthquake, or other act of God, except that no special election may be  
23 held between the first day for candidates to file for public office and  
24 the last day to certify the returns of the general election other than  
25 as provided in subsection (2)(d) and (e) ~~((and (+))~~) of this section.  
26 Such special election shall be conducted and notice thereof given in  
27 the manner provided by law.

28 (5) This section shall supersede the provisions of any and all  
29 other statutes, whether general or special in nature, having different  
30 dates for such city, town, and district elections, the purpose of this  
31 section being to establish mandatory dates for holding elections.

32 **Sec. 4.** RCW 29A.24.040 and 2003 c 111 s 604 are each amended to  
33 read as follows:

34 A candidate may file his or her declaration of candidacy for an  
35 office by electronic means on a system specifically designed and  
36 authorized by a filing officer to accept filings.

1 (1) Filings that are received electronically must capture all  
2 information specified in RCW ((~~29A.24.030~~)) 29A.24.031 (1) through (4).

3 (2) Electronic filing may begin at 9:00 a.m. the fourth Monday in  
4 ((~~July~~)) May and continue through 4:00 p.m. the following Friday.

5 (3) In case of special filing periods established in this chapter,  
6 electronic filings may be accepted beginning at 9:00 a.m. on the first  
7 day of the special filing period through 4:00 p.m. the last day of the  
8 special filing period.

9 **Sec. 5.** RCW 29A.24.050 and 2003 c 111 s 605 are each amended to  
10 read as follows:

11 Except where otherwise provided by this title, declarations of  
12 candidacy for the following offices shall be filed during regular  
13 business hours with the filing officer no earlier than the fourth  
14 Monday in ((~~July~~)) May and no later than the following Friday in the  
15 year in which the office is scheduled to be voted upon:

16 (1) Offices that are scheduled to be voted upon for full terms or  
17 both full terms and short terms at, or in conjunction with, a state  
18 general election; and

19 (2) Offices where a vacancy, other than a short term, exists that  
20 has not been filled by election and for which an election to fill the  
21 vacancy is required in conjunction with the next state general  
22 election.

23 This section supersedes all other statutes that provide for a  
24 different filing period for these offices.

25 **Sec. 6.** RCW 29A.24.171 and 2004 c 271 s 165 are each amended to  
26 read as follows:

27 Filings for a nonpartisan office shall be reopened for a period of  
28 three normal business days, such three-day period to be fixed by the  
29 election officer with whom such declarations of candidacy are filed and  
30 notice thereof given by notifying press, radio, and television in the  
31 county and by such other means as may now or hereafter be provided by  
32 law whenever before the ((~~sixth~~)) eleventh Tuesday prior to a primary:

33 (1) A void in candidacy occurs;

34 (2) A vacancy occurs in any nonpartisan office leaving an unexpired  
35 term to be filled by an election for which filings have not been held;  
36 or

1 (3) A nominee for judge of the superior court entitled to a  
2 certificate of election pursuant to Article 4, section 29, Amendment 41  
3 of the state Constitution, dies or is disqualified.

4 Candidacies validly filed within said three-day period shall appear  
5 on the ballot as if made during the earlier filing period.

6 **Sec. 7.** RCW 29A.24.181 and 2004 c 271 s 166 are each amended to  
7 read as follows:

8 Filings for a nonpartisan office (other than judge of the supreme  
9 court or superintendent of public instruction) shall be reopened for a  
10 period of three normal business days, such three-day period to be fixed  
11 by the election officer with whom such declarations of candidacy are  
12 filed and notice thereof given by notifying press, radio, and  
13 television in the county and by such other means as may now or  
14 hereafter be provided by law, when:

15 (1) A void in candidacy for such nonpartisan office occurs on or  
16 after the ((~~sixth~~)) eleventh Tuesday prior to a primary but prior to  
17 the ((~~sixth~~)) eleventh Tuesday before an election; or

18 (2) A nominee for judge of the superior court eligible after a  
19 contested primary for a certificate of election by Article 4, section  
20 29, Amendment 41 of the state Constitution, dies or is disqualified  
21 within the ten-day period immediately following the last day allotted  
22 for a candidate to withdraw; or

23 (3) A vacancy occurs in any nonpartisan office on or after the  
24 ((~~sixth~~)) eleventh Tuesday prior to a primary but prior to the  
25 ((~~sixth~~)) eleventh Tuesday before an election leaving an unexpired term  
26 to be filled by an election for which filings have not been held.

27 The candidate receiving a plurality of the votes cast for that  
28 office in the general election shall be deemed elected.

29 **Sec. 8.** RCW 29A.24.191 and 2004 c 271 s 167 are each amended to  
30 read as follows:

31 A scheduled election shall be lapsed, the office deemed stricken  
32 from the ballot, no purported write-in votes counted, and no candidate  
33 certified as elected, when:

34 (1) In an election for judge of the supreme court or superintendent  
35 of public instruction, a void in candidacy occurs on or after the

1 ((~~sixth~~)) eleventh Tuesday prior to a primary, public filings and the  
2 primary being an indispensable phase of the election process for such  
3 offices;

4 (2) Except as otherwise specified in RCW 29A.24.181, a nominee for  
5 judge of the superior court entitled to a certificate of election  
6 pursuant to Article 4, section 29, Amendment 41 of the state  
7 Constitution dies or is disqualified on or after the ((~~sixth~~)) eleventh  
8 Tuesday prior to a primary;

9 (3) In other elections for nonpartisan office a void in candidacy  
10 occurs or a vacancy occurs involving an unexpired term to be filled on  
11 or after the ((~~sixth~~)) eleventh Tuesday prior to an election.

12 **Sec. 9.** RCW 29A.24.211 and 2004 c 271 s 116 are each amended to  
13 read as follows:

14 Filings for a partisan elective office shall be opened for a period  
15 of three normal business days whenever, on or after the first day of  
16 the regular filing period and before the ((~~sixth~~)) eleventh Tuesday  
17 prior to a primary, a vacancy occurs in that office, leaving an  
18 unexpired term to be filled by an election for which filings have not  
19 been held.

20 Any such special three-day filing period shall be fixed by the  
21 election officer with whom declarations of candidacy for that office  
22 are filed. The election officer shall give notice of the special  
23 three-day filing period by notifying the press, radio, and television  
24 in the county or counties involved, and by such other means as may be  
25 required by law.

26 Candidacies validly filed within the special three-day filing  
27 period shall appear on the ballot as if filed during the regular filing  
28 period.

29 **Sec. 10.** RCW 29A.40.070 and 2004 c 266 s 13 are each amended to  
30 read as follows:

31 (1) Except where a recount or litigation under RCW ((~~29A.68.010~~))  
32 29A.68.011 is pending, the county auditor shall have sufficient  
33 absentee ballots available for absentee voters of that county, other  
34 than overseas voters and service voters, at least twenty days before  
35 any primary, general election, or special election. The county auditor  
36 must mail absentee ballots to each voter for whom the county auditor

1 has received a request nineteen days before the primary or election at  
2 least eighteen days before the primary or election. For a request for  
3 an absentee ballot received after the nineteenth day before the primary  
4 or election, the county auditor shall make every effort to mail ballots  
5 within one business day, and shall mail the ballots within two business  
6 days.

7 ~~(2) ((The county auditor shall make every effort to mail ballots to~~  
8 ~~overseas and service voters earlier than eighteen days before a primary~~  
9 ~~or election))~~ At least thirty days before any primary, general  
10 election, or special election, the county auditor shall mail ballots to  
11 all overseas and service voters. A request for a ballot made by an  
12 overseas or service voter after that day must be processed immediately.

13 (3) Each county auditor shall certify to the office of the  
14 secretary of state the dates the ballots prescribed in subsection (1)  
15 of this section were available and mailed.

16 (4) If absentee ballots will not be available or mailed as  
17 prescribed in subsection (1) of this section, the county auditor shall  
18 immediately certify to the office of the secretary of state when  
19 absentee ballots will be available and mailed. Copies of this  
20 certification must be provided to the county canvassing board, the  
21 press, jurisdictions with issues on the ballot in the election, and any  
22 candidates.

23 (5) If absentee ballots were not available or mailed as prescribed  
24 in subsection (1) of this section, for a reason other than a recount or  
25 litigation, the county auditor, in consultation with the certification  
26 and training program of the office of the secretary of state, shall  
27 submit a report to the office of the secretary of state outlining why  
28 the deadline was missed and what corrective actions will be taken in  
29 future elections to ensure that absentee ballots are available and  
30 mailed as prescribed in subsection (1) of this section.

31 (6) Failure to have absentee ballots available and mailed as  
32 prescribed in subsection (1) of this section does not by itself provide  
33 a basis for an election contest or other legal challenge to the results  
34 of a primary, general election, or special election.

35 **Sec. 11.** RCW 29A.52.011 and 2004 c 271 s 172 are each amended to  
36 read as follows:

37 Whenever it shall be necessary to hold a special election in an

1 odd-numbered year to fill an unexpired term of any office which is  
2 scheduled to be voted upon for a full term in an even-numbered year, no  
3 ((September)) primary election shall be held in the odd-numbered year  
4 if, after the last day allowed for candidates to withdraw, either of  
5 the following circumstances exist:

6 (1) No more than one candidate of each qualified political party  
7 has filed a declaration of candidacy for the same partisan office to be  
8 filled; or

9 (2) No more than two candidates have filed a declaration of  
10 candidacy for a single nonpartisan office to be filled.

11 In either event, the officer with whom the declarations of  
12 candidacy were filed shall immediately notify all candidates concerned  
13 and the names of the candidates that would have been printed upon the  
14 ((September)) primary ballot, but for the provisions of this section,  
15 shall be printed as nominees for the positions sought upon the November  
16 general election ballot.

17 **Sec. 12.** RCW 29A.56.030 and 2003 c 111 s 1403 are each amended to  
18 read as follows:

19 The name of any candidate for a major political party nomination  
20 for president of the United States shall be printed on the presidential  
21 preference primary ballot of a major political party only:

22 (1) By direction of the secretary of state, who in the secretary's  
23 sole discretion has determined that the candidate's candidacy is  
24 generally advocated or is recognized in national news media; or

25 (2) If members of the political party of the candidate have  
26 presented a petition for nomination of the candidate that has attached  
27 to the petition a sheet or sheets containing the signatures of at least  
28 one thousand registered voters who declare themselves in the petition  
29 as being affiliated with the same political party as the presidential  
30 candidate. The petition shall be filed with the secretary of state not  
31 later than ((the thirty-ninth day)) fifty-two days before the  
32 presidential preference primary. The signature sheets shall also  
33 contain the residence address and name or number of the precinct of  
34 each registered voter whose signature appears thereon and shall be  
35 certified in the manner prescribed in RCW 29A.72.230 and 29A.72.240.

36 The secretary of state shall place the name of the candidate on the  
37 ballot unless the candidate, at least ((thirty-five)) forty-five days

1 before the presidential preference primary, executes and files with the  
2 secretary of state an affidavit stating without qualification that he  
3 or she is not now and will not become a candidate for the office of  
4 president of the United States at the forthcoming presidential  
5 election. The secretary of state shall certify the names of all  
6 candidates who will appear on the presidential preference primary  
7 ballot to the respective county auditors on or before the fourth  
8 Tuesday in April of each presidential election year.

9 **Sec. 13.** RCW 29A.60.190 and 2004 c 266 s 18 are each amended to  
10 read as follows:

11 (1) ~~((On the tenth day after a special election or primary and on~~  
12 ~~the fifteenth day after a)) Fifteen days after a primary or special~~  
13 ~~election, and twenty days after a~~ general election, the county  
14 canvassing board shall complete the canvass and certify the results.  
15 Each absentee ballot that was returned before the closing of the polls  
16 ~~((on the date of the primary or election for which it was issued)),~~ and  
17 each absentee ballot ~~((with))~~ bearing a postmark on or before the date  
18 of the ~~((primary or))~~ election ~~((for which it was issued))~~ and received  
19 on or before the date on which the ~~((primary or))~~ election is  
20 certified, must be included in the canvass report.

21 (2) At the request of a caucus of the state legislature, the county  
22 auditor shall transmit copies of all unofficial returns of state and  
23 legislative primaries or elections prepared by or for the county  
24 canvassing board to either the secretary of the senate or the chief  
25 clerk of the house of representatives.

26 **Sec. 14.** RCW 29A.64.070 and 2003 c 111 s 1607 are each amended to  
27 read as follows:

28 After the original count, canvass, and certification of results,  
29 the votes cast in any single precinct may ~~((not))~~ be recounted and the  
30 results recertified not more than once for a primary and not more than  
31 twice for a special or general election.

32 **Sec. 15.** RCW 27.12.355 and 1987 c 138 s 1 are each amended to read  
33 as follows:

34 (1) As provided in this section, a rural county library district,  
35 island library district, or intercounty rural library district may

1 withdraw areas from its boundaries, or reannex areas into the library  
2 district that previously had been withdrawn from the library district  
3 under this section.

4 (2) The withdrawal of an area shall be authorized upon: (a)  
5 Adoption of a resolution by the board of trustees requesting the  
6 withdrawal and finding that, in the opinion of the board, inclusion of  
7 this area within the library district will result in a reduction of the  
8 district's tax levy rate under the provisions of RCW 84.52.010; and (b)  
9 adoption of a resolution by the city or town council approving the  
10 withdrawal, if the area is located within the city or town, or adoption  
11 of a resolution by the county legislative authority of the county  
12 within which the area is located approving the withdrawal, if the area  
13 is located outside of a city or town. A withdrawal shall be effective  
14 at the end of the day on the thirty-first day of December in the year  
15 in which the resolutions are adopted, but for purposes of establishing  
16 boundaries for property tax purposes, the boundaries shall be  
17 established immediately upon the adoption of the second resolution.

18 The authority of an area to be withdrawn from a library district as  
19 provided under this section is in addition, and not subject, to the  
20 provisions of RCW 27.12.380.

21 The withdrawal of an area from the boundaries of a library district  
22 shall not exempt any property therein from taxation for the purpose of  
23 paying the costs of redeeming any indebtedness of the library district  
24 existing at the time of the withdrawal.

25 (3) An area that has been withdrawn from the boundaries of a  
26 library district under this section may be reannexed into the library  
27 district upon: (a) Adoption of a resolution by the board of trustees  
28 proposing the reannexation; and (b) adoption of a resolution by the  
29 city or town council approving the reannexation, if the area is located  
30 within the city or town, or adoption of a resolution by the county  
31 legislative authority of the county within which the area is located  
32 approving the reannexation, if the area is located outside of a city or  
33 town. The reannexation shall be effective at the end of the day on the  
34 thirty-first day of December in the year in which the adoption of the  
35 second resolution occurs, but for purposes of establishing boundaries  
36 for property tax purposes, the boundaries shall be established  
37 immediately upon the adoption of the second resolution. Referendum  
38 action on the proposed reannexation may be taken by the voters of the

1 area proposed to be reannexed if a petition calling for a referendum is  
2 filed with the city or town council, or county legislative authority,  
3 within a thirty-day period after the adoption of the second resolution,  
4 which petition has been signed by registered voters of the area  
5 proposed to be reannexed equal in number to ten percent of the total  
6 number of the registered voters residing in that area.

7 If a valid petition signed by the requisite number of registered  
8 voters has been so filed, the effect of the resolutions shall be held  
9 in abeyance and a ballot proposition to authorize the reannexation  
10 shall be submitted to the voters of the area at the next special  
11 election date specified in RCW ((~~29.13.020~~)) 29A.04.330 that occurs  
12 ((~~forty-five~~)) fifty-two or more days after the petitions have been  
13 validated. Approval of the ballot proposition authorizing the  
14 reannexation by a simple majority vote shall authorize the  
15 reannexation.

16 **Sec. 16.** RCW 27.12.370 and 1982 c 123 s 14 are each amended to  
17 read as follows:

18 The county legislative authority or authorities shall by resolution  
19 call a special election to be held in such city or town at the next  
20 date provided in RCW ((~~29.13.010~~)) 29A.04.321 but not less than  
21 ((~~forty-five~~)) fifty-two days from the date of the declaration of such  
22 finding, and shall cause notice of such election to be given as  
23 provided for in RCW ((~~29.27.080~~)) 29A.52.351.

24 The election on the annexation of the city or town into the library  
25 district shall be conducted by the auditor of the county or counties in  
26 which the city or town is located in accordance with the general  
27 election laws of the state and the results thereof shall be canvassed  
28 by the canvassing board of the county or counties. No person shall be  
29 entitled to vote at such election unless he or she is registered to  
30 vote in said city or town for at least thirty days preceding the date  
31 of the election. The ballot proposition shall be in substantially the  
32 following form:

33 "Shall the city or town of . . . . . be annexed to and be  
34 a part of . . . . . library district?  
35 YES . . . . .   
36 NO . . . . .



1 given as provided in RCW 35.13.080 and the election shall be conducted  
2 as provided in the general election law. The annexation shall be  
3 deemed approved by the voters unless a majority of the votes cast on  
4 the proposition are in opposition thereto.

5 After the expiration of the (~~forty-fifth~~) fifty-second day from  
6 but excluding the date of passage of the annexation ordinance, if no  
7 timely and sufficient referendum petition has been filed, the area  
8 annexed shall become a part of the city or town upon the date fixed in  
9 the ordinance of annexation.

10 **Sec. 19.** RCW 35.61.360 and 1987 c 138 s 2 are each amended to read  
11 as follows:

12 (1) As provided in this section, a metropolitan park district may  
13 withdraw areas from its boundaries, or reannex areas into the  
14 metropolitan park district that previously had been withdrawn from the  
15 metropolitan park district under this section.

16 (2) The withdrawal of an area shall be authorized upon: (a)  
17 Adoption of a resolution by the park district commissioners requesting  
18 the withdrawal and finding that, in the opinion of the commissioners,  
19 inclusion of this area within the metropolitan park district will  
20 result in a reduction of the district's tax levy rate under the  
21 provisions of RCW 84.52.010; and (b) adoption of a resolution by the  
22 city or town council approving the withdrawal, if the area is located  
23 within the city or town, or adoption of a resolution by the county  
24 legislative authority of the county within which the area is located  
25 approving the withdrawal, if the area is located outside of a city or  
26 town. A withdrawal shall be effective at the end of the day on the  
27 thirty-first day of December in the year in which the resolutions are  
28 adopted, but for purposes of establishing boundaries for property tax  
29 purposes, the boundaries shall be established immediately upon the  
30 adoption of the second resolution.

31 The withdrawal of an area from the boundaries of a metropolitan  
32 park district shall not exempt any property therein from taxation for  
33 the purpose of paying the costs of redeeming any indebtedness of the  
34 metropolitan park district existing at the time of the withdrawal.

35 (3) An area that has been withdrawn from the boundaries of a  
36 metropolitan park district under this section may be reannexed into the  
37 metropolitan park district upon: (a) Adoption of a resolution by the

1 park district commissioners proposing the reannexation; and (b)  
2 adoption of a resolution by the city or town council approving the  
3 reannexation, if the area is located within the city or town, or  
4 adoption of a resolution by the county legislative authority of the  
5 county within which the area is located approving the reannexation, if  
6 the area is located outside of a city or town. The reannexation shall  
7 be effective at the end of the day on the thirty-first day of December  
8 in the year in which the adoption of the second resolution occurs, but  
9 for purposes of establishing boundaries for property tax purposes, the  
10 boundaries shall be established immediately upon the adoption of the  
11 second resolution. Referendum action on the proposed reannexation may  
12 be taken by the voters of the area proposed to be reannexed if a  
13 petition calling for a referendum is filed with the city or town  
14 council, or county legislative authority, within a thirty-day period  
15 after the adoption of the second resolution, which petition has been  
16 signed by registered voters of the area proposed to be reannexed equal  
17 in number to ten percent of the total number of the registered voters  
18 residing in that area.

19 If a valid petition signed by the requisite number of registered  
20 voters has been so filed, the effect of the resolutions shall be held  
21 in abeyance and a ballot proposition to authorize the reannexation  
22 shall be submitted to the voters of the area at the next special  
23 election date specified in RCW (~~((29.13.020))~~) 29A.04.330 that occurs  
24 (~~((forty-five))~~) fifty-two or more days after the petitions have been  
25 validated. Approval of the ballot proposition authorizing the  
26 reannexation by a simple majority vote shall authorize the  
27 reannexation.

28 **Sec. 20.** RCW 35A.14.299 and 1967 ex.s. c 119 s 35A.14.299 are each  
29 amended to read as follows:

30 Such annexation ordinance as provided for in RCW 35A.14.297 shall  
31 be subject to referendum for forty-five days after the passage thereof.  
32 Upon the filing of a timely and sufficient referendum petition with the  
33 legislative body, signed by qualified electors in number equal to not  
34 less than ten percent of the votes cast in the last general state  
35 election in the area to be annexed, the question of annexation shall be  
36 submitted to the voters of such area in a general election if one is to  
37 be held within ninety days or at a special election called for that

1 purpose not less than (~~forty-five~~) fifty-two days nor more than  
2 ninety days after the filing of the referendum petition. Notice of  
3 such election shall be given as provided in RCW 35A.14.070 and the  
4 election shall be conducted as provided in RCW (~~35A.14.060~~)  
5 35A.29.151. The annexation shall be deemed approved by the voters  
6 unless a majority of the votes cast on the proposition are in  
7 opposition thereto.

8 After the expiration of the forty-fifth day from but excluding the  
9 date of passage of the annexation ordinance, if no timely and  
10 sufficient referendum petition has been filed, the area annexed shall  
11 become a part of the code city upon the date fixed in the ordinance of  
12 annexation. From and after such date, if the ordinance so provided,  
13 property in the annexed area shall be subject to the proposed zoning  
14 regulation prepared and filed for such area as provided in RCW  
15 35A.14.330 and 35A.14.340. If the ordinance so provided, all property  
16 within the area annexed shall be assessed and taxed at the same rate  
17 and on the same basis as the property of such annexing code city is  
18 assessed and taxed to pay for any then outstanding indebtedness of such  
19 city contracted prior to, or existing at, the date of annexation.

20 **Sec. 21.** RCW 36.93.030 and 1991 c 363 s 91 are each amended to  
21 read as follows:

22 (1) There is hereby created and established in each county with a  
23 population of two hundred ten thousand or more a board to be known and  
24 designated as a "boundary review board".

25 (2) A boundary review board may be created and established in any  
26 other county in the following manner:

27 (a) The county legislative authority may, by majority vote, adopt  
28 a resolution establishing a boundary review board; or

29 (b) A petition seeking establishment of a boundary review board  
30 signed by qualified electors residing in the county equal in number to  
31 at least five percent of the votes cast in the county at the last  
32 county general election may be filed with the county auditor.

33 Upon the filing of such a petition, the county auditor shall  
34 examine the same and certify to the sufficiency of the signatures  
35 thereon. No person may withdraw his or her name from a petition after  
36 it has been filed with the auditor. Within thirty days after the

1 filing of such petition, the county auditor shall transmit the same to  
2 the county legislative authority, together with his or her certificate  
3 of sufficiency.

4 After receipt of a valid petition for the establishment of a  
5 boundary review board, the county legislative authority shall submit  
6 the question of whether a boundary review board should be established  
7 to the electorate at the next county primary or county general election  
8 which occurs more than (~~forty-five~~) fifty-two days from the date of  
9 receipt of the petition. Notice of the election shall be given as  
10 provided in RCW (~~29.27.080~~) 29A.52.351 and shall include a clear  
11 statement of the proposal to be submitted.

12 If a majority of the persons voting on the proposition shall vote  
13 in favor of the establishment of the boundary review board, such board  
14 shall thereupon be deemed established.

15 **Sec. 22.** RCW 42.12.040 and 2005 c 2 s 15 (Initiative Measure No.  
16 872) are each amended to read as follows:

17 (1) If a vacancy occurs in any partisan elective office in the  
18 executive or legislative branches of state government or in any  
19 partisan county elective office before the (~~sixth~~) eleventh Tuesday  
20 prior to the next general election following the occurrence of the  
21 vacancy, a successor shall be elected to that office at that general  
22 election. Except during the last year of the term of office, if such  
23 a vacancy occurs on or after the (~~sixth~~) eleventh Tuesday prior to  
24 the general election, the election of the successor shall occur at the  
25 next succeeding general election. The elected successor shall hold  
26 office for the remainder of the unexpired term. This section shall not  
27 apply to any vacancy occurring in a charter county that has charter  
28 provisions inconsistent with this section.

29 (2) If a vacancy occurs in any legislative office or in any  
30 partisan county office after the general election in a year that the  
31 position appears on the ballot and before the start of the next term,  
32 the term of the successor who is of the same party as the incumbent may  
33 commence once he or she has qualified as defined in RCW 29A.04.133 and  
34 shall continue through the term for which he or she was elected.

35 **Sec. 23.** RCW 42.17.080 and 2002 c 75 s 2 are each amended to read  
36 as follows:

1 (1) On the day the treasurer is designated, each candidate or  
2 political committee shall file with the commission and the county  
3 auditor or elections officer of the county in which the candidate  
4 resides, or in the case of a political committee, the county in which  
5 the treasurer resides, in addition to any statement of organization  
6 required under RCW 42.17.040 or 42.17.050, a report of all  
7 contributions received and expenditures made prior to that date, if  
8 any.

9 (2) At the following intervals each treasurer shall file with the  
10 commission and the county auditor or elections officer of the county in  
11 which the candidate resides, or in the case of a political committee,  
12 the county in which the committee maintains its office or headquarters,  
13 and if there is no office or headquarters then in the county in which  
14 the treasurer resides, a report containing the information required by  
15 RCW 42.17.090:

16 (a) On the twenty-first day and the seventh day immediately  
17 preceding the date on which the election is held; and

18 (b) On the tenth day of the first month after the election(~~+~~  
19 ~~PROVIDED, That this report shall not be required following a primary~~  
20 ~~election from:~~

21 ~~(i) A candidate whose name will appear on the subsequent general~~  
22 ~~election ballot; or~~

23 ~~(ii) Any continuing political committee)); and~~

24 (c) On the tenth day of each month in which no other reports are  
25 required to be filed under this section: PROVIDED, That such report  
26 shall only be filed if the committee has received a contribution or  
27 made an expenditure in the preceding calendar month and either the  
28 total contributions received or total expenditures made since the last  
29 such report exceed two hundred dollars.

30 When there is no outstanding debt or obligation, and the campaign  
31 fund is closed, and the campaign is concluded in all respects, and in  
32 the case of a political committee, the committee has ceased to function  
33 and has dissolved, the treasurer shall file a final report. Upon  
34 submitting a final report, the duties of the treasurer shall cease and  
35 there shall be no obligation to make any further reports.

36 The report filed twenty-one days before the election shall report  
37 all contributions received and expenditures made as of the end of the  
38 fifth business day before the date of the report. The report filed

1 seven days before the election shall report all contributions received  
2 and expenditures made as of the end of the one business day before the  
3 date of the report. Reports filed on the tenth day of the month shall  
4 report all contributions received and expenditures made from the  
5 closing date of the last report filed through the last day of the month  
6 preceding the date of the current report.

7 (3) For the period beginning the first day of the (~~fourth~~) fifth  
8 month preceding the date on which the special or general election is  
9 held and ending on the date of that special or general election, each  
10 Monday the treasurer shall file with the commission and the appropriate  
11 county elections officer a report of each bank deposit made during the  
12 previous seven calendar days. The report shall contain the name of  
13 each person contributing the funds so deposited and the amount  
14 contributed by each person. However, contributions of no more than  
15 twenty-five dollars in the aggregate from any one person may be  
16 deposited without identifying the contributor. A copy of the report  
17 shall be retained by the treasurer for his or her records. In the  
18 event of deposits made by a deputy treasurer, the copy shall be  
19 forwarded to the treasurer for his or her records. Each report shall  
20 be certified as correct by the treasurer or deputy treasurer making the  
21 deposit.

22 (4) If a city requires that candidates or committees for city  
23 offices file reports with a city agency, the candidate or treasurer so  
24 filing need not also file the report with the county auditor or  
25 elections officer.

26 (5) The treasurer or candidate shall maintain books of account  
27 accurately reflecting all contributions and expenditures on a current  
28 basis within five business days of receipt or expenditure. During the  
29 eight days immediately preceding the date of the election the books of  
30 account shall be kept current within one business day. As specified in  
31 the committee's statement of organization filed under RCW 42.17.040,  
32 the books of account must be open for public inspection as follows:

33 (a) For at least two consecutive hours between 8:00 a.m. and 8:00  
34 p.m. on the eighth day immediately before the election, except when it  
35 is a legal holiday, in which case on the seventh day immediately before  
36 the election, at the principal headquarters or, if there is no  
37 headquarters, at the address of the treasurer or such other place as  
38 may be authorized by the commission; and

1 (b) By appointment for inspections to be conducted at the  
2 designated place for inspections between 8:00 a.m. and 8:00 p.m. on any  
3 other day from the seventh day through the day immediately before the  
4 election, other than Saturday, Sunday, or a legal holiday. It is a  
5 violation of this chapter for a candidate or political committee to  
6 refuse to allow and keep an appointment for an inspection to be  
7 conducted during these authorized times and days in the week prior to  
8 the election. The appointment must be allowed at an authorized time  
9 and day for such inspections that is within twenty-four hours of the  
10 time and day that is requested for the inspection.

11 (6) The treasurer or candidate shall preserve books of account,  
12 bills, receipts, and all other financial records of the campaign or  
13 political committee for not less than five calendar years following the  
14 year during which the transaction occurred.

15 (7) All reports filed pursuant to subsection (1) or (2) of this  
16 section shall be certified as correct by the candidate and the  
17 treasurer.

18 (8) Copies of all reports filed pursuant to this section shall be  
19 readily available for public inspection for at least two consecutive  
20 hours Monday through Friday, excluding legal holidays, between 8:00  
21 a.m. and 8:00 p.m., as specified in the committee's statement of  
22 organization filed pursuant to RCW 42.17.040, at the principal  
23 headquarters or, if there is no headquarters, at the address of the  
24 treasurer or such other place as may be authorized by the commission.

25 (9) After January 1, 2002, a report that is filed with the  
26 commission electronically need not also be filed with the county  
27 auditor or elections officer.

28 (10) The commission shall adopt administrative rules establishing  
29 requirements for filer participation in any system designed and  
30 implemented by the commission for the electronic filing of reports.

31 **Sec. 24.** RCW 42.17.710 and 2003 c 164 s 3 are each amended to read  
32 as follows:

33 (1) During the period beginning on the thirtieth day before the  
34 date a regular legislative session convenes and continuing (~~thirty~~  
35 ~~days past~~) through the date of final adjournment, and during the  
36 period beginning on the date a special legislative session convenes and  
37 continuing through the date that session adjourns, no state official or

1 a person employed by or acting on behalf of a state official or state  
2 legislator may solicit or accept contributions to a public office fund,  
3 to a candidate or authorized committee, or to retire a campaign debt.

4 (2) This section does not apply to activities authorized in RCW  
5 43.07.370.

6 **Sec. 25.** RCW 52.02.080 and 1989 c 63 s 6 are each amended to read  
7 as follows:

8 The election on the formation of the district and to elect the  
9 initial fire commissioners shall be conducted by the election officials  
10 of the county or counties in which the proposed district is located in  
11 accordance with the general election laws of the state. This election  
12 shall be held at the next general election date, as specified under RCW  
13 (~~(29.13.020)~~) 29A.04.330, that occurs (~~(forty-five)~~) fifty-two or more  
14 days after the date of the action by the boundary review board, or  
15 county legislative authority or authorities, approving the proposal.

16 **Sec. 26.** RCW 52.04.056 and 1989 c 63 s 11 are each amended to read  
17 as follows:

18 (1) As provided in this section, a fire protection district may  
19 withdraw areas from its boundaries, or reannex areas into the fire  
20 protection district that previously had been withdrawn from the fire  
21 protection district under this section.

22 (2) The withdrawal of an area shall be authorized upon: (a)  
23 Adoption of a resolution by the board of fire commissioners requesting  
24 the withdrawal and finding that, in the opinion of the board, inclusion  
25 of this area within the fire protection district will result in a  
26 reduction of the district's tax levy rate under the provisions of RCW  
27 84.52.010; and (b) adoption of a resolution by the city or town council  
28 approving the withdrawal, if the area is located within the city or  
29 town, or adoption of a resolution by the county legislative authority  
30 or authorities of the county or counties within which the area is  
31 located approving the withdrawal, if the area is located outside of a  
32 city or town. A withdrawal shall be effective at the end of the day on  
33 the thirty-first day of December in the year in which the resolutions  
34 are adopted, but for purposes of establishing boundaries for property  
35 tax purposes, the boundaries shall be established immediately upon the  
36 adoption of the second resolution.

1 The authority of an area to be withdrawn from a fire protection  
2 district as provided under this section is in addition, and not  
3 subject, to the provisions of RCW 52.04.101.

4 The withdrawal of an area from the boundaries of a fire protection  
5 district shall not exempt any property therein from taxation for the  
6 purpose of paying the costs of redeeming any indebtedness of the fire  
7 protection district existing at the time of the withdrawal.

8 (3) An area that has been withdrawn from the boundaries of a fire  
9 protection district under this section may be reannexed into the fire  
10 protection district upon: (a) Adoption of a resolution by the board of  
11 fire commissioners proposing the reannexation; and (b) adoption of a  
12 resolution by the city or town council approving the reannexation, if  
13 the area is located within the city or town, or adoption of a  
14 resolution by the county legislative authority or authorities of the  
15 county or counties within which the area is located approving the  
16 reannexation, if the area is located outside of a city or town. The  
17 reannexation shall be effective at the end of the day on the thirty-  
18 first day of December in the year in which the adoption of the second  
19 resolution occurs, but for purposes of establishing boundaries for  
20 property tax purposes, the boundaries shall be established immediately  
21 upon the adoption of the second resolution. Referendum action on the  
22 proposed reannexation may be taken by the voters of the area proposed  
23 to be reannexed if a petition calling for a referendum is filed with  
24 the city or town council, or county legislative authority or  
25 authorities, within a thirty-day period after the adoption of the  
26 second resolution, which petition has been signed by registered voters  
27 of the area proposed to be reannexed equal in number to ten percent of  
28 the total number of the registered voters residing in that area.

29 If a valid petition signed by the requisite number of registered  
30 voters has been so filed, the effect of the resolutions shall be held  
31 in abeyance and a ballot proposition to authorize the reannexation  
32 shall be submitted to the voters of the area at the next special  
33 election date specified in RCW ((~~29.13.020~~)) 29A.04.330 that occurs  
34 ((~~forty-five~~)) fifty-two or more days after the petitions have been  
35 validated. Approval of the ballot proposition authorizing the  
36 reannexation by a simple majority vote shall authorize the  
37 reannexation.



1 Washington, signed by at least ten percent of the total number of  
2 voters of the port district who voted at the last general port election  
3 and asking that the corporate name of the port district be changed, it  
4 shall be the duty of the commissioners to submit to the voters of the  
5 port district the proposition as to whether the corporate name of the  
6 port shall be changed. The proposition shall be submitted at the next  
7 general port election.

8 (2) The petition shall contain the present corporate name of the  
9 port district and the corporate name which is proposed to be given to  
10 the port district.

11 (3) On submitting the proposition to the voters of the port  
12 district it shall be the duty of the port commissioners to cause to be  
13 printed on the official ballot used at the election the following  
14 proposition:

15 "Shall the corporate name, 'Port of .....' be  
16 changed to 'Port of .....'?..... YES  
17 "Shall the corporate name, 'Port of .....' be  
18 changed to 'Port of .....'?.....NO"

19 (4) At the time when the returns of the general election shall be  
20 canvassed by the commissioners of the port district, it shall be the  
21 duty of the commissioners to canvass the vote upon the proposition so  
22 submitted, recording in their record the result of the canvass.

23 (5) Should a majority of the registered voters of the port district  
24 voting at the general port election vote in favor of the proposition it  
25 shall be the duty of the port commissioners to certify the fact to the  
26 auditor of the county in which the port district shall be situated and  
27 to the secretary of state of the state of Washington, under the seal of  
28 the port district. On and after the filing of the certificate with the  
29 county auditor as aforesaid and with the secretary of state of the  
30 state of Washington, the corporate name of the port district shall be  
31 changed, and thenceforth the port district shall be known and  
32 designated in accordance therewith.

33 **Sec. 29.** RCW 54.08.010 and 1985 c 469 s 55 are each amended to  
34 read as follows:

35 At any general election held in an even-numbered year, the county  
36 legislative authority of any county in this state may, or, on petition

1 of ten percent of the qualified electors of the county based on the  
2 total vote cast in the last general county election held in an even-  
3 numbered year, shall, by resolution, submit to the voters of the county  
4 the proposition of creating a public utility district which shall be  
5 coextensive with the limits of the county as now or hereafter  
6 established. A form of petition for the creation of a public utility  
7 district shall be submitted to the county auditor within ten months  
8 prior to the election at which the proposition is to be submitted to  
9 the voters. Petitions shall be filed with the county auditor not less  
10 than four months before the election and the county auditor shall  
11 within thirty days examine the signatures thereof and certify to the  
12 sufficiency or insufficiency thereof. If the petition be found to be  
13 insufficient, it shall be returned to the persons filing the same, who  
14 may amend or add names thereto for ten days, when the same shall be  
15 returned to the county auditor, who shall have an additional fifteen  
16 days to examine the same and attach his certificate thereto. No person  
17 having signed the petition shall be allowed to withdraw his name  
18 therefrom after the filing of the same with the county auditor:  
19 PROVIDED, That each signature shall be dated and that no signature  
20 dated prior to the date on which the form of petition was submitted to  
21 the county auditor shall be valid. Whenever the petition shall be  
22 certified to as sufficient, the county auditor shall forthwith transmit  
23 the same, together with his certificate of sufficiency attached  
24 thereto, to the county legislative authority which shall submit the  
25 proposition to the voters of the county at the next general election in  
26 an even-numbered year occurring (~~forty-five~~) fifty-two days after  
27 submission of the proposition to the legislative authority. The notice  
28 of the election shall state the boundaries of the proposed public  
29 utility district and the object of such election, and shall in other  
30 respects conform to the requirements of the general laws of the state  
31 of Washington, governing the time and manner of holding elections. In  
32 submitting the question to the voters for their approval or rejection,  
33 the proposition shall be expressed on the ballot substantially in the  
34 following terms:

- 35 Public Utility District No. . . . . YES   
36 Public Utility District No. . . . . NO

37 Any petition for the formation of a public utility district may  
38 describe a less area than the entire county in which the petition is

1 filed, the boundaries of which shall follow the then existing precinct  
2 boundaries and not divide any voting precinct; and in the event that  
3 such a petition is filed the county legislative authority shall fix a  
4 date for a hearing on such petition, and shall publish the petition,  
5 without the signatures thereto appended, for two weeks prior to the  
6 date of the hearing, together with a notice stating the time of the  
7 meeting when the petition will be heard. The publication, and all  
8 other publications required by chapter 1, Laws of 1931, shall be in a  
9 newspaper of general circulation in the county in which the district is  
10 situated. The hearing on the petition may be adjourned from time to  
11 time, not exceeding four weeks in all. If upon the final hearing the  
12 county legislative authority shall find that any lands have been  
13 unjustly or improperly included within the proposed public utility  
14 district and will not be benefited by inclusion therein, it shall  
15 change and fix the boundary lines in such manner as it shall deem  
16 reasonable and just and conducive to the public welfare and  
17 convenience, and make and enter an order establishing and defining the  
18 boundary lines of the proposed public utility district: PROVIDED, That  
19 no lands shall be included within the boundaries so fixed lying outside  
20 the boundaries described in the petition, except upon the written  
21 request of the owners of those lands. Thereafter the same procedure  
22 shall be followed as prescribed in this chapter for the formation of a  
23 public utility district including an entire county, except that the  
24 petition and election shall be confined solely to the lesser public  
25 utility district.

26 No public utility district created after September 1, 1979, shall  
27 include any other public utility district within its boundaries:  
28 PROVIDED, That this paragraph shall not alter, amend, or modify  
29 provisions of chapter 54.32 RCW.

30 **Sec. 30.** RCW 54.08.070 and 1979 ex.s. c 240 s 2 are each amended  
31 to read as follows:

32 Any district which does not own or operate electric facilities for  
33 the generation, transmission or distribution of electric power on March  
34 25, 1969, or any district which hereafter does not construct or acquire  
35 such electric facilities within ten years of its creation, shall not  
36 construct or acquire any such electric facilities without the approval  
37 of such proposal by the voters of such district: PROVIDED, That a

1 district shall have the power to construct or acquire electric  
2 facilities within ten years following its creation by action of its  
3 commission without voter approval of such action.

4 At any general election held in an even-numbered year, the proposal  
5 to construct or acquire electric facilities may be submitted to the  
6 voters of the district by resolution of the public utility district  
7 commission or shall be submitted to the voters of the district by the  
8 county legislative authority on petition of ten percent of the  
9 qualified electors of such district, based on the total vote cast in  
10 the last general county election held in an even-numbered year. A form  
11 of petition for the construction or acquisition of electric facilities  
12 by the public utility district shall be submitted to the county auditor  
13 within ten months prior to the election at which such proposition is to  
14 be submitted to the voters. Petitions shall be filed with the county  
15 auditor not less than four months before such election and the county  
16 auditor shall within thirty days examine the signatures thereof and  
17 certify to the sufficiency or insufficiency thereof. If such petition  
18 is found to be insufficient, it shall be returned to the persons filing  
19 the same, who may amend and add names thereto for ten days, when the  
20 same shall be returned to the county auditor, who shall have an  
21 additional fifteen days to examine the same and attach his certificate  
22 thereto. No person having signed such petition shall be allowed to  
23 withdraw his name therefrom after the filing of the same with the  
24 county auditor: PROVIDED, That each signature shall be dated and that  
25 no signature dated prior to the date on which the form of petition was  
26 submitted to the county auditor shall be valid. Whenever such petition  
27 shall be certified to as sufficient, the county auditor shall forthwith  
28 transmit the same, together with his certificate of sufficiency  
29 attached thereto, to the county legislative authority which shall  
30 submit such proposition to the voters of said district at the next  
31 general election in an even-numbered year occurring (~~forty-five~~)  
32 fifty-two days after submission of the proposition to said legislative  
33 authority. The notice of the election shall state the object of such  
34 election, and shall in other respects conform to the requirements of  
35 the general laws of Washington, governing the time and manner of  
36 holding elections.

37 The proposal submitted to the voters for their approval or

1 rejection, shall be expressed on the ballot substantially in the  
2 following terms:

3 Shall Public Utility District No. . . . . of . . . . . County  
4 construct or acquire electric facilities for the generation,  
5 transmission or distribution of electric power?

6 Yes

7 No

8 Within ten days after such election, the election board of the  
9 county shall canvass the returns, and if at such election a majority of  
10 the voters voting on such proposition shall vote in favor of such  
11 construction or acquisition of electric facilities, the district shall  
12 be authorized to construct or acquire electric facilities.

13 **Sec. 31.** RCW 57.04.050 and 1999 c 153 s 1 are each amended to read  
14 as follows:

15 Upon entry of the findings of the final hearing on the petition if  
16 one or more county legislative authorities find that the proposed  
17 district will be conducive to the public health, welfare, and  
18 convenience and will benefit the land therein, they shall present a  
19 resolution to the county auditor calling for a special election to be  
20 held at a date specified under RCW ((~~29.13.020~~)) 29A.04.330, that  
21 occurs ((~~forty-five~~)) fifty-two or more days after the resolution is  
22 presented, at which a ballot proposition authorizing the district to be  
23 created shall be submitted to voters for their approval or rejection.  
24 The commissioners shall cause to be published a notice of the election  
25 for four successive weeks in a newspaper of general circulation in the  
26 proposed district, which notice shall state the hours during which the  
27 polls will be open, the boundaries of the district as finally adopted  
28 and the object of the election, and the notice shall also be posted ten  
29 days in ten public places in the proposed district. The district shall  
30 be created if the ballot proposition authorizing the district to be  
31 created is approved by a majority of the voters voting on the  
32 proposition.

33 A separate ballot proposition authorizing the district, if created,  
34 to impose a single-year excess levy for the preliminary expenses of the  
35 district shall be submitted to voters for their approval or rejection  
36 at the same special election, if the petition to create the district

1 also proposed that a ballot proposition authorizing an excess levy be  
2 submitted to voters for their approval or rejection. The excess levy  
3 shall be proposed in the amount specified in the petition to create the  
4 district, not to exceed one dollar and twenty-five cents per thousand  
5 dollars of assessed value, and may only be submitted to voters for  
6 their approval or rejection if the special election is held in  
7 February, March, or April(~~, or May~~). The proposition to be effective  
8 must be approved in the manner set forth in Article VII, section 2(a)  
9 of the state Constitution.

10 **Sec. 32.** RCW 70.44.235 and 1987 c 138 s 4 are each amended to read  
11 as follows:

12 (1) As provided in this section, a public hospital district may  
13 withdraw areas from its boundaries, or reannex areas into the public  
14 hospital district that previously had been withdrawn from the public  
15 hospital district under this section.

16 (2) The withdrawal of an area shall be authorized upon: (a)  
17 Adoption of a resolution by the hospital district commissioners  
18 requesting the withdrawal and finding that, in the opinion of the  
19 commissioners, inclusion of this area within the public hospital  
20 district will result in a reduction of the district's tax levy rate  
21 under the provisions of RCW 84.52.010; and (b) adoption of a resolution  
22 by the city or town council approving the withdrawal, if the area is  
23 located within the city or town, or adoption of a resolution by the  
24 county legislative authority of the county within which the area is  
25 located approving the withdrawal, if the area is located outside of a  
26 city or town. A withdrawal shall be effective at the end of the day on  
27 the thirty-first day of December in the year in which the resolutions  
28 are adopted, but for purposes of establishing boundaries for property  
29 tax purposes, the boundaries shall be established immediately upon the  
30 adoption of the second resolution.

31 The withdrawal of an area from the boundaries of a public hospital  
32 district shall not exempt any property therein from taxation for the  
33 purpose of paying the costs of redeeming any indebtedness of the public  
34 hospital district existing at the time of the withdrawal.

35 (3) An area that has been withdrawn from the boundaries of a public  
36 hospital district under this section may be reannexed into the public  
37 hospital district upon: (a) Adoption of a resolution by the hospital

1 district commissioners proposing the reannexation; and (b) adoption of  
2 a resolution by the city or town council approving the reannexation, if  
3 the area is located within the city or town, or adoption of a  
4 resolution by the county legislative authority of the county within  
5 which the area is located approving the reannexation, if the area is  
6 located outside of a city or town. The reannexation shall be effective  
7 at the end of the day on the thirty-first day of December in the year  
8 in which the adoption of the second resolution occurs, but for purposes  
9 of establishing boundaries for property tax purposes, the boundaries  
10 shall be established immediately upon the adoption of the second  
11 resolution. Referendum action on the proposed reannexation may be  
12 taken by the voters of the area proposed to be reannexed if a petition  
13 calling for a referendum is filed with the city or town council, or  
14 county legislative authority, within a thirty-day period after the  
15 adoption of the second resolution, which petition has been signed by  
16 registered voters of the area proposed to be reannexed equal in number  
17 to ten percent of the total number of the registered voters residing in  
18 that area.

19 If a valid petition signed by the requisite number of registered  
20 voters has been so filed, the effect of the resolutions shall be held  
21 in abeyance and a ballot proposition to authorize the reannexation  
22 shall be submitted to the voters of the area at the next special  
23 election date specified in RCW (~~((29.13.020))~~) 29A.04.330 that occurs  
24 (~~((forty-five))~~) fifty-two or more days after the petitions have been  
25 validated. Approval of the ballot proposition authorizing the  
26 reannexation by a simple majority vote shall authorize the  
27 reannexation.

28 NEW SECTION. Sec. 33. RCW 29A.04.158 (September primary) and 2004  
29 c 271 s 187 are each repealed.

30 NEW SECTION. Sec. 34. This act takes effect January 1, 2006.

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